

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ABINGDON DIVISION

KYMBERLY HOBBS,)	
Administrator of the Estate of)	
Charles James Givens,)	
Deceased,)	
)	Case No. 1:23CV00003
Plaintiff,)	
)	
v.)	
)	
ANTHONY RAYMOND KELLY,)	
et al.,)	
)	
Defendants.)	

JEFFERY ARTRIP'S AND TRAVIS POSTON'S
RULE 26(a)(3) PRETRIAL DISCLOSURES

Defendants Jeffery Artrip and Travis Poston (collectively "Defendants"), by counsel, pursuant to Rules 26(a)(3)(A)(i), (ii), and (iii) of the Federal Rules of Civil Procedure and the Court's Pretrial Order, ECF No. 31, as amended, submit the following as their Witness List and Exhibit List for the upcoming trial in this matter.

Pursuant to Rule 26(a)(3)(A)(i) and the Court's Pretrial Order, as amended, Defendants state as follows:

I. Defendants Expect to Call the Following Persons as Witnesses During the Trial of this Matter Other Than Solely for Impeachment:

1. Jeffery Artrip
Contact through counsel
2. Travis Poston
Contact through counsel

3. Brian Harrington
Contact through counsel
4. Anne Horst
Contact through counsel
5. Mark Sochor
Contact through counsel

II. Defendants May Call the Following Persons as Witnesses if the Need Arises During the Trial of this Matter Other Than Solely for Impeachment:

1. Anthony Raymond Kelly
Contact through counsel
2. Joshua Jackson
Contact through counsel
3. Gregory Plummer
Contact through counsel
4. William Montgomery
Contact through counsel
5. Samuel Osborne
Contact through counsel
6. Mack Tolbert
Contact through counsel
7. Tammy Jones
Contact through counsel
8. Erik Christensen
Contact through counsel
9. Kimberly Olinger
Contact through counsel
10. Any individual identified by the plaintiff or the co-defendants and not excluded from testifying by the Court.

Pursuant to Rule 26(a)(3)(A)(ii) and the Court's Pretrial Order, as amended,
Defendants state as follows:

I. Defendants May Call the Following Persons as Witnesses to Testify by the Presentation of Deposition Testimony Other Than Solely for Impeachment:

1. Jeffery Artrip:
For the pertinent parts of the deposition of Jeffrey Artrip that Defendants may use at trial, please see Defendants' Deposition Designations.
2. Kymberly Hobbs:
For the pertinent parts of the deposition of Kymberly Hobbs that Defendants may use at trial, please see Defendants' Deposition Designations.
3. Joshua Jackson
For the pertinent parts of the deposition of Joshua Jackson that Defendants may use at trial, please see Defendants' Deposition Designations.
4. Tammy Jones
For the pertinent parts of the deposition of Tammy Jones that Defendants may use at trial, please see Defendants' Deposition Designations.
5. Anthony Kelly
For the pertinent parts of the deposition of Anthony Kelly that Defendants may use at trial, please see Defendants' Deposition Designations.
6. William Montgomery
For the pertinent parts of the deposition of William Montgomery that Defendants may use at trial, please see Defendants' Deposition Designations.
7. Samuel Osborne
For the pertinent parts of the deposition of Samuel Osborne that Defendants may use at trial, please see Defendants' Deposition Designations.
8. Gregory Plummer

For the pertinent parts of the deposition of Gregory Plummer that Defendants may use at trial, please see Defendants' Deposition Designations.

9. Travis Poston

For the pertinent parts of the deposition of Travis Poston that Defendants may use at trial, please see Defendants' Deposition Designations.

10. Brian Stiltner

For the pertinent parts of the deposition of Brian Stiltner that Defendants may use at trial, please see Defendants' Deposition Designations.

Defendants reserve the right to call additional witnesses or designate additional deposition testimony for the purposes of impeachment or rebuttal, in light of any stipulations reached by the parties in advance of trial, or in response to the Court's rulings on Defendants' Motions in Limine or objections at trial. Defendants further reserve the right to supplement these disclosures pursuant to Rule 26(e).

Pursuant to Rule 26(a)(3)(A)(iii) and the Court's Pretrial Order, as amended, Defendants state as follows:

I. Defendants Reasonably Anticipate That They Will Seek to Introduce the Following Exhibits at the Trial of this Action Other Than Solely for Impeachment:¹

1. VDOC_005861
2. 2_VDOC_000040 to 000041
3. 2_VDOC_000381 to 000383
4. 2_VDOC_000495, 2_VDOC_000498 to 000499
5. 2_VDOC_000579 to 000581
6. 2_VDOC_000366 to 000367

¹ Numbering of the exhibits identified in these disclosure may not reflect the exhibit number assigned at the time of trial. Numbering will be finalized at the time exhibits are uploaded to box.com.

7. 2_VDOC_000373
8. 2_VDOC_000374
9. 2_VDOC_000375
10. 2_VDOC_001478 to 001480
11. 2_VDOC_001504
12. 2_VDOC_001620 to 001622
13. 2_VDOC_001638
14. 2_VDOC_001646 to 001647
15. 2_VDOC_000186, 2_VDOC_000193 to 000194, 2_VDOC_000198
16. 2_VDOC_000338
17. 2_VDOC_000346 to 000348
18. 2_VDOC_000389
19. MCTC-000196 to 000197
20. 2_VDOC_000364 to 000365
21. 2_VDOC_000369 to 000370
22. 2_VDOC_001845 to 001846
23. 2_VDOC_000455, 2_VDOC_000457, 2_VDOC_000461,
2_VDOC_000478, 2_VDOC_000490 to 000491, VDOC_002655 to
002657, VDOC_002664 to 2665
24. ECF No. 129-15, Pageid#: 1465
25. 2VDOC_000371 to 000372
26. 2VDOC_001479 to 001480
27. 2_VDOC_000413 to 415
28. VDOC_004322 to 004323
29. 2_VDOC_000460 to 461
30. VDOC_005965 to 005967
31. VDOC_007409
32. 2VDOC_000461
33. 2VDOC_000478
34. VDOC_006162 to 006163
35. 2_VDOC_001891 to 001897
36. E_VDOC_00024052
37. VDOC_004781
38. 3_VDOC_000009 to 000018, 3_VDOC_000021 to 000037
39. ECF No. 129-8, Pageid#: 1400 to 1410
40. ECF No. 129-9, Pageid#: 1412 to 1413
41. ECF No. 129-11, Pageid#: 1431 to 1434
42. ECF No. 129-12, Pageid#: 1436 to 1442

II. Defendants Identify the Following Exhibits That They May Offer if the Need Arises Other Than Solely for Impeachment:

43. VDOC_6598
44. E_VDOC_024032
45. E_VDOC_0024030 to 0024031
46. HOBBS_004243
47. HOBBS_004239
48. VDOC_007228 to 007247
49. HOBBS_004196
50. VDOC_007381, VDOC_007814
51. VDOC_007408
52. VDOC_007362
53. VDOC_004890
54. VDOC_004783
55. VDOC_004886
56. VDOC_004782
57. VDOC_004885
58. VDOC_004747
59. 2_VDOC_000394
60. 2_VDOC_000401
61. HOBBS_007279 TO 007286
62. 2_VDOC_000564 TO 000578
63. HOBBS_007376
64. 2_VDOC_000569
65. VDOC_005379
66. VDOC_005378
67. VDOC_005582
68. Expert report of Mark Sochor
69. Expert report of Erik Christensen
70. Plaintiff's Deposition Exhibit 113
71. HOBBS_008609 to 008611
72. HOBBS_004445
73. HOBBS_004440
74. Plaintiff's Deposition Exhibit 133
75. Plaintiff's Deposition Exhibit 134
76. Plaintiff's Deposition Exhibit 130
77. Plaintiff's Deposition Exhibit 150-6
78. Plaintiff's Deposition Exhibit 32
79. Plaintiff's Deposition Exhibit 43

80. Plaintiff's Deposition Exhibit 48
81. 2_VDOC_000486 to 000491
82. VDOC_005138
83. VDOC_005613 to 005614
84. VDOC_005503
85. VDOC_005506
86. HOBBS_000002 to 000007
87. Any exhibit identified by plaintiff or the co-defendants not excluded by the Court and otherwise admissible under the Federal Rules of Evidence

Defendants reserve the right to use additional exhibits for the purposes of impeachment or rebuttal, in light of any stipulations reached by the parties in advance of trial, or in response to the Court's rulings on Defendants' Motions in Limine or objections at trial. Defendants further reserve the right to supplement these disclosures pursuant to Rule 26(e). Defendants further reserve the right to use demonstrative aids, which are not subject to the disclosures required under Rule 26(a)(3).

Respectfully Submitted,

TRAVIS POSTON and
JEFFERY ARTRIP

/s/
Nathan H. Schnetzler (VSB #: 86437)
Austin L. Obenshain (VSB #: 99494)
FRITH ANDERSON + PEAKE, P.C.
29 Franklin Road, SW
P.O. Box 1240
Roanoke, Virginia 24006-1240
Phone: 540/772-4600
Fax: 540/772-9167
Email: nschnetzler@faplawfirm.com
aobenshain@faplawfirm.com



D. Patricia Wallace, VSB #92964
Assistant Attorney General
Office of the Attorney General
Criminal Justice & Public Safety Division
202 North 9th Street
Richmond, Virginia 23219
Tel.: 804-786-2912; Fax: -4239
E -mail: pwallace@oag.state.va.us

*Counsel for Jeffery Artrip and Travis S.
Poston*

CERTIFICATE OF SERVICE

I hereby certify that on March 10, 2025, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will automatically send notification of such filing to all counsel of record.

/s/ Nathan H. Schnetzler
Of Counsel